

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Robert Bosch LLC

Petitioner

v.

Monument Peak Ventures LLC

Patent Owner

Case IPR2019- 01473

U. S. Patent No. 6,654,507

JOINT MOTION TO TERMINATE PROCEEDINGS

I. PRECISE RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317(a), Petitioner Robert Bosch LLC and Patent Owner Monument Peak Ventures LLC jointly request that this *inter partes* review proceeding involving U.S. Patent No. 6,654,507 (“the ’507 patent”) be terminated based on a settlement between Petitioner and Patent Owner (“the Parties”).

II. REASONS FOR GRANTING THE MOTION

Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement. *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). The Board authorized filing of the instant motion on August 25, 2020. Guidance as to the content of a motion to terminate is provided in IPR2013-00428, Paper No. 56. There, the Board indicated that a joint motion, such as this one, should (a) include a brief explanation as to why termination is appropriate; (b) identify all parties in any related litigation involving the patent at issue; (c) identify any related proceedings currently before the Office; and (d) discuss specifically the current status of each such related litigation or proceeding with respect to each party to the litigation or proceeding. *Id.* at 2. This motion satisfies each of the above requirements and is accompanied by the Parties’ settlement agreement, as required by 35 U.S.C. § 317(b) and 35 C.F.R. § 42.74 (b).

a. Brief Explanation of Why Termination is Appropriate

Termination is appropriate because briefing by the Parties is not yet complete,

oral argument has not been held, the Board has not decided the merits of the proceeding, and a final written decision has not been issued. The Parties have resolved their disputes and executed a settlement agreement to request termination of this proceeding and dismissal of the Parties' related proceeding regarding the '507 patent in *Monument Peak Ventures, LLC v. Bosch Security Systems, LLC et al.* Pursuant to the Parties' settlement agreement, the Parties have jointly moved to dismiss the litigation.

b. All Parties in Any Pending Related Litigation Involving the Patent at Issue

The following litigations are related to the '507 patent:

Monument Peak Ventures, LLC v. Bosch Security Systems, LLC et al., Case No. 1:20-cv-00611-MN (D. Del.) (joint motion to dismiss filed August 19, 2020)

c. Related Proceedings Currently Before the Office

This proceeding is related to the following proceedings, in each of which the Parties have filed or are filing concurrent joint motions to terminate:

1. IPR2019-01472, involving U.S. Patent No. 6,282,317, instituted on March 09, 2020;
2. IPR2019-01474, involving U.S. Patent No. 6,654,506, instituted on March 09, 2020;
3. IPR2019-01475, involving U.S. Patent No. 7,035,461, instituted on

March 23, 2020; and

4. IPR2019-01476, involving U.S. Patent No. 7,148,908, instituted on March 23, 2020.

d. Current Status of Each Such Related Litigation of Proceeding With Respect to Each Party in the Litigation or Proceeding

Sections II.b and II.c above indicate the status of each related litigation or proceeding with respect to each party to the litigation or proceeding.

III. SETTLEMENT AGREEMENT

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), the Parties' settlement agreement is in writing, and a true and correct copy is being filed concurrently herewith as Exhibit 1012.¹ There are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of these proceedings. The parties are also filing concurrently herewith a joint request under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) to treat the settlement agreement as business confidential information and keep it separate from the files of the '507 patent.

IV. CONCLUSION

For all these reasons, the Parties respectfully request termination of this proceeding.

¹ The settlement agreement is being filed via PTAB E2E with access to the "Parties and Board only."

Respectfully submitted,

Dated: August 26, 2020

/Lionel M. Lavenue/

Lionel M. Lavenue
Reg. No. 46,859

FINNEGAN, HENDERSON,
FARABOW, GARRETT &
DUNNER, LLP
Two Freedom Square
1955 Freedom Drive
Reston, VA 20190

Tel: 571-203-2750
Email:
lionel.lavenue@finnegan.com

Counsel for Petitioner

/Tarek N. Fahmi/

Tarek N. Fahmi
Reg. No. 41,402

Ascenda Law Group, PC
2150 N First Street, Suite 420
San Jose, CA 95131

Tel: 866-877-4883
Email: tarek.fahmi@ascendalaw.com

Counsel for Patent Owner

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